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TRANSMITTAL FORM

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Total Number of Pages in This Submission

34

Application Number 10/717,199

Filing Date November 18, 2003

First Named Inventor Robert M. PEREGO

Art Unit 2185

Examiner Name

Attorney Docket Number 70205/11:1

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Stoel Rives LLP, 900 SW Fifth Avenue, Suite 2600, Portland, Oregon 97204		
Signature			
Printed name	Micah D. Stolowitz		
Date	October 10, 2005	Reg. No.	32,758

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	George Painter	Date	October 10, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Robert M. PEREGO

Confirmation No. 6247

Application No. 10/717,199

Filed: November 18, 2003

For: **DATA SET LEVEL MIRRORING TO
ACCOMPLISH A VOLUME
MERGE/MIGRATE IN A DIGITAL
DATA STORAGE SYSTEM**

Group Art Unit: 2185

Docket No.: 70205/11:1

Date: October 10, 2005

INFORMATION DISCLOSURE STATEMENT

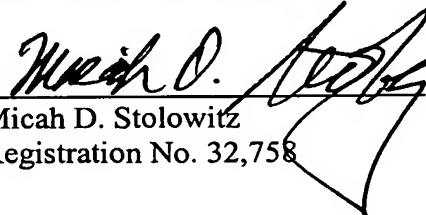
TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.
 - ☒ Copies of listed U.S. patents and U.S. patent application publications are not required for submission. (37 C.F.R. § 1.98(a)(2)(ii))
 - ☐ Copies of listed foreign patent documents and/or non-patent literature are enclosed. (37 C.F.R. § 1.98(a)(2))
 - ☐ Copies of the documents listed at (sheet/cite no.) _____ of the attached Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. _____, filed _____, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. _____, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))
 - ☐ A copy of copending U.S. Patent Application No. _____, filed _____, for _____, listed at (sheet/cite no.) _____ of the attached Form PTO-1449 (or equivalent), ☐ is enclosed / ☐ is omitted. (Copy not required if available via IFW. 1287.OG 163 (Oct. 19, 2004).).
2. This information disclosure statement is being submitted (check box a., b., or c.):
 - a. ☒ Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or

- b. ☐ After the period set forth in paragraph 2a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
3. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- ☐ each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
4. ☐ A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is set forth below.

Respectfully submitted,

Mainstar Software Corporation

By 
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FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
70205/11:1APPLICATION NO.
10/717,199INFORMATION DISCLOSURE CITATION
(Uses several sheets if necessary)APPLICANT
Robert M. PEREGOFILING DATE
November 18, 2003GROUP
2185

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,515,502	5/7/1996	Wood et al.			
	AB	5,915,264	6/22/1999	White et al.			
	AC	6,578,120	6/10/2003	Crockett et al.			
	AD	2001/010070	7/26/2001	Crockett et al.			
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	EP 1 065 585	1/3/2001	EPO				
	AM							
	AN							
	AO							
	AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	International Search Report and Written Opinion for PCT/US2004/034934, issued 3/7/2005.
	AS	
	AT	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.